

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

MICHAEL ERDE and SUSAN ERDE, as
Parents and Natural Guardians of J.E., and
MICHAEL ERDE and SUSANNE ERDE,
Individually,

Plaintiff,

21 CIVIL 9285 (VSB)(VF)

-against-

JUDGMENT

DAVID C. BANKS, in His Official Capacity
as Chancellor of the New York City
Department of Education, and NEW YORK
CITY DEPARTMENT OF EDUCATION,

Defendants.

-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons
stated in the Court's Opinion and Order dated January 24, 2023, the Court adopts the Report &
Recommendation in its entirety. Plaintiffs motion for summary judgment be GRANTED in part
and DENIED in part, and Defendants cross-motion for summary judgment be GRANTED in part
and DENIED in part. Specifically, I recommend that Plaintiffs outstanding tuition dues be paid
by Defendants directly to iBrain, less \$2,000.00 **Dated:** New York, New York

January 24, 2023

RUBY J. KRAJICK

Clerk of Court



Deputy Clerk

BY: